



**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
DIVISION OF WATER RESOURCES**

Memphis Environmental Field Office  
8383 Wolf Lake Drive  
Bartlett, TN 38133

Phone 901-371-3000    Statewide 1-888-891-8332    Fax 901-371-3170

May 19, 2016

Mr. Scott Morgan  
Administrator, Environmental Construction  
City of Memphis, Division of Public Works  
125 North Main Street, Suite 620  
Memphis, TN 38103

Subject:        **NPDES Construction General Permit Tracking No. TNR154210**  
                  **Memphis-TE Maxson STP So Plant**  
                  **Permittee: City of Memphis**  
                  **Memphis, Shelby County, Tennessee**

Dear Mr. Morgan:

You recently submitted a Notice of Intent (NOI) form as part of an application package to obtain coverage under a General NPDES Permit for Storm Water Discharges Associated with Construction Activity. The Division of Water Resources (the division) acknowledges receipt of the most recent version of the application for the above referenced project on May 12, 2016. After review, the application was deemed to be complete on May 17, 2016. Enclosed is the Notice of Coverage (NOC) form which shows the site name and location, receiving stream, effective date of coverage, etc.

**Contractor Information**

You have not identified a contractor on the NOI. You must identify a primary contractor, or contractor otherwise responsible for sediment and erosion controls on the construction site, and submit a revised NOI to this office prior to beginning earth clearing operations onsite. When submitting the NOI, please include the above referenced permit tracking number.

**Storm Water Pollution Prevention Plan (SWPPP)**

You have submitted a Storm Water Pollution Prevention Plan (SWPPP) as required by Part 1.4.2 of the CGP. Please note that the division has not performed an engineering review of the SWPPP and does not certify whether the SWPPP adequately provides for the pollution prevention requirements at the site as described in the general permit. The division acknowledges that you have submitted a SWPPP that appears to include the required components of a SWPPP. It is the responsibility of all site operators to design, implement, and maintain measures that are sufficient to prevent pollution at the referenced site, and to remain in compliance with the terms and conditions of the general permit.

**Receiving Stream not Supporting Designated Uses**

The receiving stream for the construction site for which the NOI was submitted appears on the state's list for partially supporting or for not supporting a stream's designated use due to siltation. Since the

discharge from the proposed construction site may contain significant amounts of silt, the division considers the potential for degradation to the receiving stream from the discharge to be significant. Therefore, additional pollution prevention requirements for discharges into waters which the department identifies as impaired by siltation, as described in the General Permit, subpart 5.4., apply to your facility; requirements of section 5.4.2. apply to your construction site only if an impaired segment is located on or adjacent to the disturbed area.

### **Threatened and Endangered Species**

The receiving stream for a construction site for which the NOI was submitted has federal or state listed threatened and endangered species in the area, or downstream of your project. Storm water discharges and storm water discharge-related activities that are not protective of legally protected listed or proposed threatened or endangered aquatic fauna in the receiving stream; or discharges or activities that would result in a 'take' of a federally listed endangered or threatened fish or wildlife species are not authorized by the general permit. If the division finds that storm water discharges or storm water related activities are likely to result in any of the above effects, the division will deny the coverage under this general permit unless and until project plans are changed to protect the listed species. In addition, discharges from your construction site that result in harm to such species may incur additional fines and penalties from the US Fish and Wildlife Service and/or the Tennessee Wildlife Resources Agency.

### **Annual Maintenance and Coverage Termination**

Effective July 1, 2014, permit fees for the CGP have been revised. In addition to new application fee amounts, annual maintenance fees are now required for projects that exceed one year of coverage. Permittees wishing to terminate coverage must submit a completed notice of termination (NOT) form, which is available on the division's construction stormwater webpage at [http://tdec.tn.gov/etdec/DownloadFile.aspx?row\\_id=CN-1175](http://tdec.tn.gov/etdec/DownloadFile.aspx?row_id=CN-1175).

The division will review the NOT for completeness and accuracy and, when necessary, investigate the site for which the NOT was submitted. The division will notify the applicant that either the NOT form was received and accepted, or that the permit coverage is not eligible for termination and has not been terminated. If applicable, the notification will include a summary of existing deficiencies.

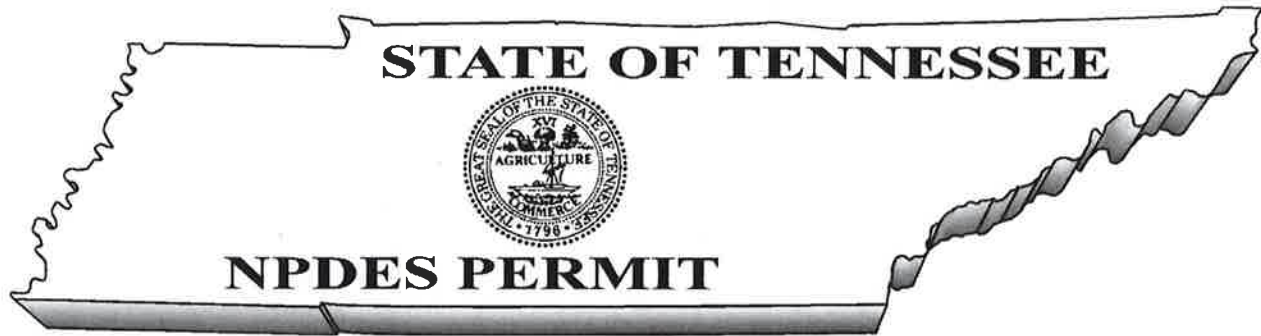
We appreciate your attention to the general construction storm water permit and its requirements. A copy of the CGP can be obtained from <http://www.tn.gov/environment/article/permit-water-npdes-stormwater-construction-permit>. We believe this does make a difference to the quality of state waters. If you have any questions, please contact Mr. Cliff Caudle at (901) 371-3028 or by e-mail at [Cliff.Caudle@tn.gov](mailto:Cliff.Caudle@tn.gov).

Sincerely,



Joellyn Brazile  
Environmental Program Manager  
Division of Water Resources  
Memphis Environmental Field Office

cc: DWR, Memphis EFO Permit File



**Tracking Number** **TNR154210**

**NOTICE OF COVERAGE UNDER THE GENERAL NPDES PERMIT FOR STORMWATER  
DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY (CGP)**

Tennessee Department of Environment and Conservation  
Division of Water Resources  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue, 11th Floor  
Nashville, TN 37243

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and the delegation of authority from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.):

Name of the Construction Project: **Memphis-TE Maxson STP So Plant (36.6 acres)**

Master Tracking Number at the Site: **TNR154210**

Permittee Name: **City of Memphis**

Contractor(s):

is authorized to discharge: storm water associated with construction activity

from site located at: **West side of Horn Lake Cutoff, approx.. 0.6 miles south of  
2685 Steam Plant Rd., Memphis, Shelby County, Tennessee**

to receiving waters named:

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

Likely presence of threatened or endangered species in one mile radius: **YES**

Likely presence of threatened or endangered species downstream: **NO**

Additional pollution prevention requirements apply for discharges into waters which TDEC identifies as:

- **Unavailable Condition - Siltation**

- **Exceptional Tennessee Waters: NO**

Your coverage under the CGP shall become effective on **May 19, 2016**, and shall be terminated upon receipt of [Notice of Termination](#).

A copy of the CGP can be obtained from

<http://www.tn.gov/environment/article/permit-npdes-stormwater-construction-permit>